

**UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
BAKERSFIELD FIELD OFFICE
DECISION RECORD**

**Application for Permit to Drill Powell Wells No. 3 & No. 4
Environmental Assessment Number CA-160-07-008**

Introduction

The Bureau of Land Management (BLM) has received two applications for permit to drill (APDs) the Powell Wells No. 3 and No. 4 from Seneca Resources to extract the oil and gas resources. Seneca is the lessee of federal oil and gas lease, CARI 2298 in the Sespe oil field located in Sections 15, 16, 21, 22, 27, 28, 33 and 34, T. 5 N., R. 19 W., SBB&M, Ventura County, California.

The Environmental Assessment (EA) was internally initiated to determine whether to approve two APDs for the Powell Wells No. 3 and No. 4 proposed to be drilled in Sec. 34. The BLM needs to respond to these two APDs from Seneca Resources prior to accessing the oil and gas on their BLM lease, CARI 2298.

Decision

Based on information contained within the Environmental Assessment (EA) number CA-160-07-008, the project record and consultation with staff and outside agency, I have decided to approve two APDs, Powell Well No. 3 and No.4 as described in the EA, including the minimization and avoidance measures in the Biological Opinion [September 28, 2009: 2007-F-0264], the conditions of the Memorandum of Understanding between USFWS and Seneca Operators Group, and additional measures identified in a letter to the BLM (Sept. 9, 2008) from Seneca Resources.

The proposed well sites are located on an existing well Slide pad (193' x 95') that contains 15 existing wells and are located on less than one acre of private surface and subsurface adjacent to the Los Padre Forest and Hopper Mountain National Wildlife Refuge. The well pad and the federal oil and gas lease are both located within the boundary of the Sespe Condor Sanctuary; however, it is not part of the Condor Sanctuary since it is private surface and private mineral estate. The wells will be directionally drilled to the federal mineral estate. There will be no surface disturbance to the Sespe Condor Sanctuary. I have determined that no additional mitigation is required.

Alternatives Considered but not Selected

One other alternative, the No Action Alternative was considered. Under this alternative, BLM would not authorize the approval to drill the Powell Wells No. 3 and No. 4. This would result in decreased production of federal subsurface minerals, but more importantly, it would be in conflict with the rights that were granted to the lessee under their federal oil and gas lease, CARI 2298. Those rights include the right to drill unless there is a jeopardy decision or other similar circumstance that cannot be mitigated. It would also be in conflict with: 1. BLM'S Energy and Mineral Policy of August 2008, 2. The National Energy Policy Act of August 2005 by not meeting the needs of the country to promote goals to provide national energy security; and 3. Federal Oil and Gas Lease Regulation 43 CFR 3101.1-2.

Decision Rationale

The BLM is mandated by Congress and the President to manage public lands for multiple uses. One of these legitimate uses is energy production. This action is the only alternative analyzed in detail to allow two wells to be directionally drilled to the federal mineral estate under oil and gas lease CARI 2298.

The Bakersfield Field Office has a proven track record of balancing energy production with other uses, including wildlife habitat and cultural resources. Approval of two APDs for the Powell wells No. 3 and No. 4 has been reviewed for the presence of the California condor in the Sespe oil field area. The California condor will be protected through the stipulations already implemented under the oil and gas lease; Conditions of Approval that will be made a part of the APDs; minimization avoidance measures identified in Biological Opinion [September 28, 2009:2007-F-0264], Memorandum of Understanding between USFWS and Seneca Operators Group, and additional measures identified in a letter to BLM (Sept. 9, 2008) from Seneca Resources.

Consultation and Coordination

Due to presence of the California condor at Sespe oil field, BLM did conduct a Section 7 consultation with the USFWS. USFWS responded with a Biological Opinion [Sept. 28, 2009; No. 2007-F_0264] that an approval of two wells is not likely to jeopardize the existence of the California condor, nor destroy or adversely modify critical habitat.

The Forest Service and two USFWS offices, and tribal representatives were consulted, as well as Los Padres Forest Watch, (environmental group) were part of the public involvement for the proposed project.

Public Involvement

The EA was made available for public review and comment in 2007. The public was notified of the availability of the environmental assessment via letters.

BLM received four letters (1 letter + 1 form letter signed by 3 groups). One comment pertained specifically to the presence of the California condor in the Sespe area. The final EA addresses the California condor in detail.

The comments addressed in the form letter related to direct effects, cumulative effects, air, and water quality and quantity to the California condor. The final EA was modified to address all of these concerns accordingly. All of the requested information outside of comments received was submitted in a timely manner by the BLM.

In addition, other edits and clerical corrections were made in the EA.

Plan Consistency

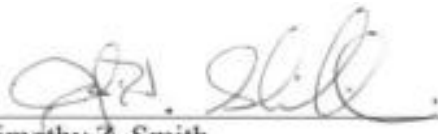
Based on information in the EA, the project record, and recommendations from BLM specialists, I conclude that this decision is consistent with the July 2005 Los Padres National Forest Management Plan (LPNFMP), the Endangered Species Act; the Native American Religious Freedom Act; other cultural resource management laws and regulations; Executive Order 12898 regarding Environmental Justice; and Executive Order 13212 regarding potential adverse impacts to energy development, production, supply and/or distribution.

Administrative Remedies

Administrative remedies may be available to those who believe they will be adversely affected by this decision. Appeals may be made to the Office of Hearings and Appeals, Office of the Secretary, U.S. Department of Interior, Board of Land Appeals (Board) in strict compliance with the regulations in 43 CFR Part 4. Notices of appeal must be filed in this office within 30 days after publication of this decision. If a notice of appeal does not include a statement of reasons, such statement must be filed with this office and the Board within 30 days after the notice of appeal is filed. The notice of appeal and any statement of reasons, written arguments, or briefs must also be served upon the Regional Solicitor:

U.S. Department of the Interior
Office of the Solicitor, Pacific Southwest Region
2800 Cottage Way, Room E-2753
Sacramento, CA 95825-1890

The effective date of this decision (and the date initiating the appeal period) will be the date this notice of decision is posted on BLM's internet website.

FOR 

Timothy Z. Smith
Bakersfield Field Office - Manager



Date